

# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

August 1, 2019

Viviana Torres Regulatory Manager LESCO Inc. 1385 East 36<sup>th</sup> Street Cleveland, OH 44114-4114

Subject: Notification per PRN 98-10 – Add marketing statements

Product Name: LESCO CROSSCHECK 0.069% PLUS FERTILIZER

EPA Registration Number: 10404-116 Application Date: 21 May 2019 Decision Number: 551575

Dear Ms. Torres:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 for the above referenced product. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

If you have any questions, you may contact Dr. Helen Hull-Sanders at 703-347-0243 or via email at <a href="https://hull-sanders.helen@epa.gov">hull-sanders.helen@epa.gov</a>.

Sincerely,

Catherine Aubee, Chief Invertebrate-Vertebrate Branch 1 Registration Division (7505P) Office of Pesticide Programs

# **LESCO**® Crosscheck® 0.069% **Plus Fertilizer**

(alternate brandname:

BASIC Control Crosscheck 0.069% plus fertilizer BASIC ControL Bifenthrin 0.069% plus fertilizer)

For use to control ants (including imported fire ants), mole crickets and other listed pests on lawn in landscaped areas around residential, institutional, public, commercial and industrial buildings, parks, recreational areas and athletic fields.

## **Active Ingredient:**

Total Nitrogen (NI)

| Bifenthrin*       | 0.069%   |
|-------------------|----------|
| Other Ingredients | 99.931%  |
| J                 | 100.000% |

Contains LESCO® Poly Plus® Polymer Coated Urea to provide uniform growth with extended nitrogen feeding.

\*Cis isomers 97% minimum; trans isomers 3% maximum

## **KEEP OUT OF REACH OF CHILDREN** CAUTION

See other panels for additional precautionary statements.



#### **GUARANTEED ANALYSIS**

| lotal Nitrogen (N)                                    | XX.XX%      |
|-------------------------------------------------------|-------------|
| xx.xx% Ammoniacal Nitrogen                            |             |
| xx.xx% Urea Nitrogen*                                 |             |
| XX.XX%Water Soluble Nitrogen                          |             |
| XX.XX%Water Insoluble Nitrogen                        |             |
| Available Phosphate (P2O5)                            | xx.xx%      |
| Soluble Potash (K2O)                                  | xx.xx%      |
| Sulfur (S) Total                                      | xx.xx%      |
| XX.XX% Free Sulfur (S)                                |             |
| XX.xx% Combined Sulfur (S)                            |             |
| Iron (Fe) Total                                       | xx.xx%      |
| xx.xx% Water Soluble Iron (Fe)                        |             |
| Manganese (Mn) Total                                  | xx.xx%      |
| xx.xx% Water Soluble Manganese (Mn)                   |             |
| DERIVED FROM:                                         |             |
| XX.XX% Slowly Available Urea Nitrogen from Polymer Co | oated Urea. |

#### **FIRST AID**

IF ON SKIN OR

Take off contaminated clothing.

CLOTHING

• Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.

## HOT LINE

Have the product container or label with you when calling a poison control center or doctor or when going for treatment. You may also contact Chem-Trec at 1-800-424-9300 for emergency medical treatment advice.

NOTE TO PHYSICIAN: This product is a pyrethroid. If large amounts have been ingested, milk, cream, or other digestible fats and oils may increase absorption and so should be avoided.

## FOR CHEMICAL EMERGENCY: Spill, leak, fire, exposure, or accident, call CHEMTREC 1-800-424-9300.

## PRECAUTIONARY STATEMENTS **HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

Caution: Harmful if absorbed through the skin. Avoid contact with skin, eyes, or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before

#### **ENVIRONMENTAL HAZARDS**

This pesticide is extremely toxic to fish and aquatic invertebrates. Do not apply when weather conditions favor drift from treated areas. Drift and run-off from treated areas may be hazardous to aquatic organisms in neighboring areas. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Sweeping any product that lands on a driveway, sidewalk, or street back onto the treated are of the lawn will help to prevent runoff to water bodies or drainage systems.

#### **DIRECTIONS FOR USE**

It is a violation of Federal Law to use this product in a manner inconsistent with its labeling. Not for use on turf being grown for sale or other commercial use as sod, or for commercial seed production, or for research purposes. Not for use on golf courses, sod farms, nurseries, commercial greenhouses or grass grown for seed.

Do not apply within 25 feet of lakes, reservoirs, rivers, permanent streams, marshes or natural ponds, estuaries, and commercial fish farm ponds.

Do not apply more than 580 pounds of LESCO CrossCheck 0.069% Plus Fertilizer per acre per year.

Apply this product directly to the lawn area. Water treated area as directed on this label. Do not water to the point of runoff.

Do not make applications during rain.

Do not apply by air.

## **USER SAFETY RECOMMENDATIONS**

User should:

Wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

## LAWN AND PERIMETER **APPLICATIONS**

Perimeter Application: Apply 3.33 to 6.66 pounds per 1000 sq. ft. to lawn areas 6 to 10 feet wide around and adjacent to the structure. Lawn Application: Apply LESCO CrossCheck 0.069% Plus Fertilizer with suitable broadcast application equipment to ensure uniform coverage over the treatment area. Apply 3.33 to 6.66 pounds per 1,000 sq. ft. to control the following pests:

## NOTIFICATION

10404-116

The applicant has certified that no changes, other than those reported to the Agency have been made to the labeling. The Agency acknowledges this notification by letter dated:

08/01/2019

| PEST CONTROLLED                                                                                                                                      | COMMENTS                                                                                                                                                                                                                                                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Annual Bluegrass Weevils (Hyperodes) (Adult) Armyworms Billbugs (Adult) Black Turfgrass Ataenius (Adult) Cutworms Leafhoppers Mealybugs Sod webworms |                                                                                                                                                                                                                                                                    |
| Ants Centipedes Chinch bugs Cat Fleas Millipedes Mole crickets Ticks                                                                                 | Use the higher application rate for optimum control.                                                                                                                                                                                                               |
| Imported fire ants                                                                                                                                   | Use the higher rate for optimum control; combine broadcast applications to control foraging workers and newly matted fly-in queens with mound treatments (using other pesticides registered for treating individual fire ant mounds) to control existing colonies. |

In New York State, this product may NOT be applied to any grass or turf area within 100

feet of a water body (lake, pond, river, stream, wetland, or drainage ditch).

In New York State, do make a single repeat application of Bifenthrin 0.069 with X-X-X

Fertilizer if there are signs of renewed insect activity, but not sooner than two weeks after the first application.

#### RECOMMENDED SPREADER SETTINGS

Recommended Rates lbs per 1,000 sq. ft.

SPREADER TYPE 4.75 lb.
LESCO Rotary Calibration Gauge #XX
Cyclone® or Spyker® XX

IMPORTANT: Spreader settings are only suggested settings and depend on the age of the spreader, condition of spreader, and the speed at which the operator uses the spreader. Calibrate the spreader prior to each application to ensure accurate application rates.

## STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal. **Pesticide Storage:** Keep out of reach of children and animals. Storage

in original containers only. Store in a cool, dry place and avoid excess heat. Carefully open containers. After partial use close, close tightly. In case of spill, avoid contact, isolate area and keep out animals and unprotected persons. Confine spills.

**To confine spill:** Cover to prevent dispersal. Place damaged package in a holding container. Identify contents.

**Pesticide Disposal:** Wastes resulting from the use of this product may be disposed of on site or at an approved waste disposal facility.

**Container Handling:** Non-refillable container. Do not reuse or refill this container. Completely empty bag into application equipment. Then offer for recycling, if available, or dispose of empty bag in a sanitary landfill or by incineration, or if allowed by state and local authorities, by burning. If burned, stay out of smoke.

## CONDITION OF SALE AND LIMITATION OF WARRANTY AND LIABILITY

**NOTICE:** Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully and completely. It is impossible to eliminate all risks inherently associated with the use of this product. To the extent consistent with applicable law, Buyer and/or User assume all risks of ineffectiveness or other unintended consequences or damages that may result from conditions outside or beyond the control of LESCO, Inc. including but not limited to, such factors as manner of use or application, weather or weather conditions outside the range considered normal at the application site or for the time period in which the product is applied, the presence of other materials, incompatible products, or other influencing factors which are beyond the control of LESCO, Inc.. To the extent consistent with applicable law, all such risks shall be assumed by Buyer and/or User, and Buyer and/or User agrees to hold LESCO, Inc. harmless for any claims relating to such factors

To the extent consistent with applicable law, LESCO, Inc. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated in the Directions for Use, subject to the inherent risks referred to above, when used in accordance with the Directions for Use under normal use conditions. To the extent consistent with applicable law, this warranty does not extend to the use of this product contrary to label instructions, or under abnormal conditions or under conditions not reasonably foreseeable to or beyond the control of LESCO, Inc. and Buyer and/or User assume the risk of any such use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, LESCO, INC. MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE NOR ANY OTHER EXPRESS OR IMPLIED WARRANTY EXCEPT AS STATED ABOVE.

TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF THE BUYER AND/OR USER AND THE EXCLUSIVE LIABILITY OF LESCO, INC. FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF LESCO, INC. REPLACEMENT OF THE PRODUCT, OR IF NOT ACQUIRED BY PURCHASE, REPLACEMENT OF SUCH QUANTITY. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO EVENT SHALL LESCO, Inc., BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES.

LESCO, Inc. offers this product, and Buyer and/or User accepts it, subject to the foregoing Conditions of Sale and Limitation of Warranty and Liability, which may not be modified except by written agreement signed by a duly authorized representative of LESCO, Inc.

Information concerning the raw materials composing this product can be obtained by writing to: LESCO, Inc., Attn. RA Dept., 1385 East 36th Street, Cleveland, Ohio 44114-4114, referring to the item number found on this bag.

Information regarding the contents and levels of metals in this product is available on the Internet at <a href="http://www.aapfco.org/metals.htm">http://www.aapfco.org/metals.htm</a>. Poly Plus is comprised of Polymer Coated Urea.

LEŚCO, BASIC Nutrition, U-Plus, CrossCheck and Poly Plus are registered trademarks and the sweeping design is a trademark of LESCO Technologies, LLC. Cyclone and Spyker are registered trademarks of Spyker Spreaders LLC.

Rev. 5/10/19 VT (080515)

Net Weight: XX lb. (XX.X kg)

## E.P.A. Reg. No. 10404-116

EPA EST. NO. 961-PA-01 (L), 961-IL-01 (D), 8378-IN-1 (K), 9404-FL-1 (C), 59144-GA-1 (A), 32802-MO-1 (B), 61842-CA-1 (T), 37351-CO-1 (E) First letter in lot code indicates manufacturing site.

#xxxxxx

F1560

Distributed By LESCO, Inc. 1385 East 36<sup>th</sup> Street Cleveland, OH 44114-4114 Contains LESCO® Poly Plus® OPTI<sup>™</sup> Polymer Coated Urea to provide a uniform growth with extended nitrogen feeding.

Contains LESCO® NOS™ (Nitrogen Optimizing System) for increased nitrogen use efficiency and extended greening.

Contains LESCO® NOS™ Plus (Nitrogen Optimizing System) for increased nitrogen use efficiency and extended greening.

Contains LESCO® SulfRX<sup>™</sup> Polymer Coated Sulfur Coated Urea to provide a uniform growth with extended nitrogen feeding.

## [Optional state specific language: Florida]

## FLORIDA APPLICATIONS:

• For use on golf courses or other athletic turf in FL, we recommend you follow SL191. Recommendations for N, P, K & Mg for Golf Course and Athletic Field Fertilization Based on Mehlich Extractant available on the internet at http://edis.lfas.ufl.edu/SS404.

## FLORIDA APPLICATIONS:

 For commercial application to urban turf or lawns in FL, we recommend you follow the Best Management Practices for Protection of Water Resources in Florida, June 2002, Florida Green Industries, available on the internet at title

//www.dep.state.fl.us/central/Home/Meetings Trainings/FL Green/ BMP.Book.final.pdf.

## [Optional state specific language: Virginia (eff. 12-31-13)]

Do not apply near water, storm drains, or drainage ditches. Do not apply if heavy rains are expected. Apply this product only to your lawn/garden, and sweep any product that lands on the driveway, sidewalk, or street back onto your lawn/garden. [or for liquid lawn fertilizers]

Do not apply near water, storm drains, or drainage ditches. Do not apply if heavy rains are expected. Apply this product only to your lawn/garden.

# [Optional state specific language: Maryland (eff. 10-01-13)]

This fertilizer contains phosphorus and may not be used on turf in the state of Maryland except when 1) Providing nutrients to specific soils and target vegetation as determined to be necessary in accordance with a soil test that was conducted by a laboratory identified under § 8-803.7 of the Agriculture Article, Annotated Code of Maryland, performed no more than 3 years before the application; 2) Establishing vegetation for the first time, such as after land disturbance, provided the application is conducted in accordance with the recommended application rates established by the State; or 3) Reestablishing or repairing a turf area.

## **OPTIONAL MARKETING CLAIMS**

- xx lbs treats up to x,xxx sq. ft.
- Powered by U-Plus ™
- This product contains XX% Poly plus®